



PLANNING AND BUSINESS DEVELOPMENT COMMITTEE AGENDA

February 12, 2025

5:00 PM

Sedro-Woolley Municipal Building

Council Chambers

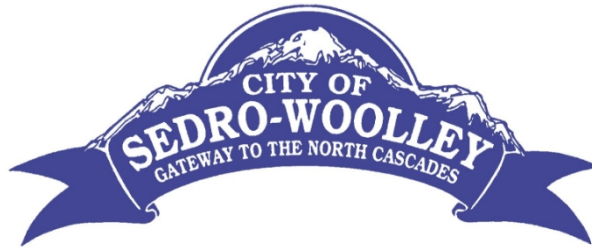
325 Metcalf Street

- a. Call to Order**
- b. Roll Call**
- c. Unfinished Business**
- d. New Business**
 - 1. DRAFT Ordinance 2091-24 - Murals and Signs,
- e. Adjournment**

Next Meeting(s) Planning and Business Development Committee - May 14, 2025

The City of Sedro-Woolley complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, limited English proficiency, age, disability, or sex. The City of Sedro-Woolley doesn't exclude people or treat them differently because of race, color, national origin, limited English proficiency, age, disability, or sex.

The City of Sedro-Woolley also complies with applicable state laws and doesn't discriminate on the basis of creed, gender, gender expression or identity, sexual orientation, marital status, religion, honorably discharged veteran or military status, or the use of a trained dog guide or service animal by a person with a disability.



**Planning and Business Development Committee
Agenda Item**

Agenda Item No.: d.1.

Date: February 12, 2025

From: Thomas Glover, Community Development Director

Subject: DRAFT Ordinance 2091-24 - Murals and Signs,

RECOMMENDED ACTION:

Discussion. Referred to Committee from Council.

ISSUE:

BACKGROUND/SUMMARY INFORMATION:

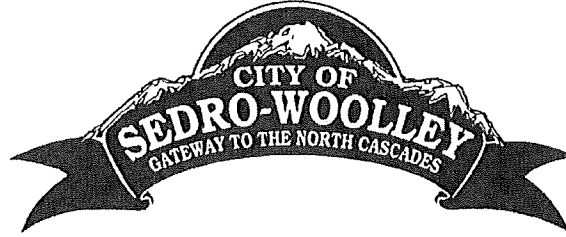
City's current code regarding murals (and signs) is out of date. Draft ordinance to fix this was introduced to Council at their meeting on November 26, 2024.

FISCAL IMPACT, IF APPROPRIATE:

Not applicable at this time.

ATTACHMENTS:

1. 20250207132900931



City Council Agenda Item

Agenda Item No.: m.1.

Date: November 26, 2024

From: Ashton Sandoval Oaks, Assistant Planner

Subject: Chapter 2.90 and Title 17 SWMC - Murals and Signs - Ordinance 2091-24 - 1st Read

RECOMMENDED ACTION:

First read, discussion only.

ISSUE:

BACKGROUND/SUMMARY INFORMATION:

Extensive research of nearby jurisdictions' signs and murals regulations, U.S. Supreme Court case law, and best practices as published by the Municipal Research and Services Center was conducted in preparation for the following proposed draft amendments and ordinance (included herein as **Attachment 1**). Additionally, several meetings with the City Attorney were held to provide legal guidance to these changes. Environmental review of this proposed ordinance was completed and a SEPA Determination of Non-Significance was issued on November 14, 2024 (included herein as **Attachment 2**).

Currently, Chapters 17.51 and 17.40 SWMC regulate murals and signs in Sedro-Woolley, respectively. Ordinance no. 1072, which underwent public hearings on January 31 and February 27, 1989, contains outdated content-based regulations which overly restrict property owners' rights to freedom of speech and freedom of expression. Chapter 2.90 SWMC outlines permitting and planning procedures and will be amended to reflect permits, required submittals, and decision-making authority for mural proposals. The following draft amendments to Chapter 2.90 and Title 17 SWMC work to rectify these issues and are included herein as **Attachment 3**.

Changes to 2.90 – Consolidated Planning Procedures

The proposed amendments to Chapter 2.90 SWMC are intended to demonstrate the permitting process for mural and sign permits (example mural permit included herein as **Attachment 4**). Both types of permits are classified as Type I permits and are exempt from public notification because these permits are also exempt from environmental review. Submittal requirements for mural permits include a completed application form (blank form included herein as **Attachment 5**), a portfolio of the artist, and a scaled rendering of the mural (i.e. a photograph or a hand-drawn illustration).

Changes to 17.40 – Signs

Proposed changes to the sign code include establishing content-neutral regulations for sign content and permitting digital signs on Metcalf Street within the Central Business District (CBD), provided digital signs comply with all other sign regulations and design guidelines for the CBD.

Changes to 17.51 – Murals

The changes to Chapter 17.51 are the most extensive within this ordinance. It is proposed to repeal Chapter 17.51 in its entirety and relocate mural regulations to a new section within the signs chapter, entitled 17.40.050 – Murals. Changes to the “History” subsection are intended to simultaneously provide historical context to the regulations of this chapter and not create favoritism for certain mural designs over others. The “Purpose” subsection provides important information regarding the intent of the regulations. Sections of code that clearly frame the intent of regulations are incredibly useful to city staff when reviewing development proposals that are unclear as to whether they comply with the municipal code. It provides guidance for the “gray-area” of permit review. Regulations in the “Application Requirements” subsection ensure the City has correct and current property information, and that the mural artist is proficient and skilled at the work they intend to complete. The “Procedures” subsection clearly references Chapter 2.90 to prevent any confusion about the approval process. The “Standards” subsection eliminates many content-based regulations that limit many creative options for property owners and artists. Enforceable standards are still included in the proposed amendments, including those that prohibit illegal content such as obscenities, protect historical sites and structures, and basic form-based requirements such as size and material composition.

The proposed amendments are also supported by and implement the following policies and priority from the Parks & Recreation and Economic Development Elements of the City's Comprehensive Plan:

Parks & Recreation Element

Policy P3.1: To encourage community involvement in the [city’s] artistic and architectural heritage, the city should participate in organized art walks to city art installations, significant buildings, murals and private art galleries. Work together with the local businesses to foster an arts community in the Central Business District.

Policy P4.7: Continue to work with local artists to install art – sculptures, murals, etc. – in public places, including city owned properties downtown, the community center, the senior center, the library, and city parks.

Policy P4.8: The use of artistic detailing in public works items such as bike racks, sidewalk paving, tree grates, bollards, sidewalk crossings, etc. should be encouraged.

Economic Development Element

Priority 2: Work with the property owners in the downtown area to continue to establish the identity of downtown Sedro-Woolley by providing a framework for which the retail and commercial economy can evolve into a civic and retail specialty area that incorporates the unique Metcalf Street character of Sedro-Woolley with vital and diverse specialty retail and service businesses. To accomplish this, the city will develop a Downtown Design Plan to create a pedestrian-friendly downtown environment, including street and sidewalk improvements, a Town Center Park, the addition of Sedro-Woolley identified features (i.e. murals, carvings), beautification, and a funding source for continuing improvements, maintenance, and marketing for downtown businesses and events.

FISCAL IMPACT, IF APPROPRIATE:

None anticipated.

ATTACHMENTS:

1. Ordinance 2091-24 - Murals and Signs Update
2. SEPA DNS - Murals and Signs Update (2024) (11-12-24) SIGNED

3. Draft Amendments 1 (10-31-24)
4. Example Mural Permit
5. Mural Permit Application (11-8-24)

ORDINANCE NO. 2091-24

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, ADOPTING AMENDMENTS TO CHAPTER 2.90 AND TITLE 17 SWMC TO UPDATE MURAL AND SIGN REGULATIONS

WHEREAS, currently, Chapters 17.40 and 17.51 SWMC allow murals and signs to be developed within the City, but establishes outdated regulations of mural and sign content; and

WHEREAS, the City supports individual expression and free speech, and simultaneously values sensible and enforceable regulations for murals and signs visible to the public.

WHEREAS, the United States Supreme Court holds certain precedents in regard to the regulation of content of free speech, including mural and sign content, that the City must ensure adherence to. Decisions made by the U.S. Supreme Court in *Reed v. Gilbert* (2015), *Cohen v. California* (1971), and *Miller v. California* (1972) are relevant to these municipal code amendments. *Reed v. Gilbert* establishes that regulations for murals and signs must comply with strict scrutiny because such regulations pertain to protected speech under the First Amendment of the U.S. Constitution. *Cohen v. California* and *Miller v. California* establish boundaries for protected versus non-protected speech. Obscenities and fighting words are not protected forms of speech, while profanities are protected; and

WHEREAS, local organizations have expressed interest in murals and signs, but are limited to the content outlined in Chapters 17.40 and 17.51 SWMC; and

WHEREAS, recommendation by the Planning Commission was bypassed because this action requires legislative action by the City Council; and

WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt amendments to the city development regulations was sent to the Washington State Department of Commerce on November 21, 2024. A 15-day expedited review was requested and, not having received any comments, granted by Commerce. The comment period ended December 6, 2024; and

WHEREAS, the proposed changes are supported by and implement the Comprehensive Plan; and

WHEREAS, environmental review of the amendments has been completed and a Determination of Non-Significance was issued November 14, 2024; and

WHEREAS, the proposed ordinance is in the best interest of City of Sedro-Woolley citizens and promotes the health, safety, and welfare of the citizens of the City of Sedro-Woolley; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this Ordinance; now, therefore,

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 2.90 and Title 17 SWMC are hereby amended as follows:

Chapter 2.90

Ordinance No. 2091-24 Amending Chapter 2.90 “Consolidated Planning Procedures” and Title 17 “Zoning” SWMC
Page 1 of 13

CONSOLIDATED PLANNING PROCEDURES

2.90.040 Exemptions from state process requirements.

[...]

D. Exemptions from State Notification and Procedural Requirements for Permit Applications Not Subject to Environmental Review. RCW 36.70B.140 allows local governments to exclude certain approvals and building and engineering permits from the public notification and procedural requirements of the statute if they are categorically exempt from environmental review or if environmental review has already been completed at an earlier stage. However, the city's one-hundred-twenty-day maximum processing time would still apply. Therefore, the city exempts the following actions from the public notification and procedural requirements since they are typically processed very quickly and would be considerably delayed by imposition of a public comment period(s):

1. Building and grading permits (SEPA exempt);
2. Business licenses for home occupations;
3. Fire installation/construction permits;
4. Mechanical, plumbing, sign, mural, and fence permits;
5. Lot line adjustments;
6. Final plats;
7. Minor amendments to a previously approved PUD;
8. Occupancy permits;
9. Shoreline exemptions;
10. Temporary use permits (SEPA exempt), but not exempting sign requirements;
11. Water, sewer, storm drainage, roadway permits (SEPA exempt);
12. Other SEPA exempt actions/activities as outlined in WAC 197-11-800. (Ord. 1627-08 § 1 (App. A)(part), 2008)

2.90.060 Authority and responsibilities.

[...]

C. Planning Director or Designee.

1. Authority. The planning director or designee shall review and act on the following:
 - a. Building and grading permits;
 - b. Binding site plan approval for commercial or industrial developments;
 - c. Environmental review.
 - i. Make threshold determinations for environmental checklists;
 - ii. Authorize circulation of draft environmental impact statements;
 - iii. Approve and issue final environmental impact statements;
 - iv. Approve mitigation conditions for mitigated determinations of nonsignificance and final environmental impact statements;
 - d. Final plats;
 - e. Interpretation of flood insurance rate map boundaries;
 - f. Boundary line adjustments (B.L.A.);
 - g. Modifications.
 - i. Minor modifications to previously approved site plan;
 - ii. Modifications of street standards;
 - iii. Minor modifications of landscaping requirements;
 - iv. Minor amendment to PRD;
 - h. Planned action determinations;
 - i. Review of business licenses for home occupations;
 - j. Shoreline exemptions;
 - k. Shoreline permits;
 - l. Short plats – nine or less;

- m. Temporary use permits;
- n. Variances – administrative;
- o. Zoning waivers;
- p. Modifications of the number of required parking stalls and the requirements of the parking, loading and driveway regulations;
- q. Temporary homeless encampment permits;
- r. Design review;
- s. Sign permits;
- t. Mural permits.

[...]

2.90.070 Permit classification.

[...]

G. Land Use Permit Procedures.

1. Permit Classification Table.

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Accessory Dwelling Unit	X					
Administrative Determination	X					
Binding Site Plan		X				
Boundary Line Adjustment	X					
Building Permit SEPA Exempt	X					
Code Interpretation	X					
Comprehensive Plan Map (and Rezone) or Text Amendments						X
Conditional Use Permit			X			
Design Review with Building Permit	X					
Design Review with Hearing Examiner Land Use Permit			X			
Development Agreement						X
Development Regulation Text Amendments Referred to Planning Commission						X
Development Regulation Text Amendments						X
Environmental Review		X				
Fence or Wall Permit	X					
Fill and Grade Permit	X					
Floodplain District Development Permit or Variance			X			
Home Occupation	X					
Landscape Modifications	X					

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Major Modification PRD			X			
Master Plan Approval			X			
Minor Modifications	X					
<u>Mural Permit</u>	<u>X</u>					
Nonconforming Use—Ordinary Maintenance or Repair	X					
Nonconforming Use—Certificate of Use or Occupancy	X					
Nonconforming Use—Special Permission to Enlarge, Expand, or Reconstruct			X			
Planned Action Determination		X				
Planned Action Ordinance						X
Planned Residential Development			X			
Plat, Preliminary			X			
Plat, Final	X					
Rezones Consistent with Comprehensive Plan						X
Shoreline Conditional Use Permit			X			
Shoreline Exemption	X					
Shoreline Substantial Development Permit		X				
Shoreline Variance			X			
Short Plat		X				
Short Plat—When Hearing Requested			X			
<u>Sign Permit</u>	<u>X</u>					
Site Plan Approval	X					
Special Use Permit			X			
Street Design Modifications	X					
Street Vacations				X		
Temporary Homeless Encampments		X				
Temporary Use Permit		X				
Variances			X			
Zoning Waivers	X					

[...]

2.90.100 Submittal requirements—Specific to application type.

The following tables list the submittal requirements for each type of permit application or land use approval which must accompany the required application fees as specified in the city’s fee schedule.

A. Table 2.90.100(A)—Building and Public Works Submittal Requirements.

Add the following to Table 2.90.100 (A):

- Create a column for “Mural Permit” with the following submittal requirements:

- Application Form (1 copy)
- Portfolio of Artist (1 copy)
- Scaled Rendering of Mural (2 copies)

B. Table 2.90.100(B)—Land Use Permit Submittal Requirements.

C. Definitions of Terms Used in Submittal Requirements for Building, Planning and Public Works Permit Applications.

[...]

“Application form, building” means the planning department form required for the type of work to be performed (e.g., grading permit application for grading work, sign permit application for installation of a sign, etc.). Information requested includes the following:

- a. Skagit tax assessor’s number for the property;
- b. Legal description of property;
- c. Street address, if applicable;
- d. Property owner’s name, address and phone number;
- e. Prime contractor’s business name, address, phone number, current state contractor registration number; and
- f. Either the name, address and phone number of the lender administering the interim construction financing, if any, or the name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount fifty percent or more than the total construction project.

[...]

“Portfolio of artist” means a compilation of at least three artistic compositions completed by a single individual or association that is representative of the individual’s or association’s skill, artistic style, preferences, and other distinguishable elements of art. The art contained in the portfolio of artist must be completed by the same individual or association who applies for and intends to create the mural.

[...]

“Scaled rendering of mural” means an image which accurately represents the intended mural and dimensions of the art therein, provided in a size not less than eight and one-half inches by eleven inches.

[...]

**Chapter 17.04
ADMINISTRATIVE PROVISIONS**

17.04.030 Definitions.

[...]

“Multiuse stormwater facility” means a facility that incorporates underground infiltration or otherwise contains no standing water for a period of at least nine months per year, has side slopes of no steeper than 4:1, and is used as common open space or as play areas defined in Chapter 17.38, as approved by the city engineer.

“Mural” means a painting, mosaic, fresco, or other artwork applied directly to the exterior of a structure. Murals may include text or other informational items, but primarily serve an artistic or expressive purpose.

“Net density” means the number of dwelling units located on buildable land; which excludes public rights-of-way, private access easements, driveways, or tracts, utility corridors, stormwater facilities, critical areas and their buffers, and other areas which are unbuildable. Seventy-five percent of multiuse stormwater facilities may be counted towards total buildable area.

[...]

**Chapter 17.40
SIGNS**

17.40.020 Permanent on-premises signs.

A. In the residential zones, signs shall be limited to a total combined size of five square feet or one percent of the gross floor area of buildings, whichever is greater.

B. In all other zones, the following limitations apply:

1. All freestanding signs shall be ground-oriented. Each sign’s area may not exceed two percent of the gross floor area of the buildings nor two hundred square feet total surface area, whichever is less, but in no case must signs be less than thirty-two square feet per side. Though uses or business may overlap spatially, gross floor area shall not be claimed more than once in computing allowable size of signs. See also SWMC Section 17.40.010(D).
2. Facade signs must meet the size requirements listed below.

Maximum Sign Area

Facade Area	Maximum Sign Area
0—499	50 sq. ft. maximum
500—999	10% or 75 sq. ft. maximum, whichever is less
1,000—1,499	9% or 100 sq. ft. maximum, whichever is less
1,500—2,999	8% or 150 sq. ft. maximum, whichever is less
3,000 or greater	6% or 200 sq. ft. maximum, whichever is less

Maximum Letter Size for Primary Signs

Distance from Primary Street	Maximum Letter Size
Up to 10 ft.	12 inches
10—25	18 inches
25—50	24 inches
50—100	36 inches
Over 100	48 inches

3. Freestanding signs may not exceed twenty feet in height as measured from the centerline of the adjoining road to the top of the sign structure.

C. Freestanding signs shall meet the clear vision triangle requirements in ~~the city code~~ 17.44.020 SWMC.

D. Each building may have one freestanding sign per frontage on a public right-of-way. Each business may have one facade sign per frontage on a public right-of-way. (Ord. 1577-07 § 1 (part), 2007)

17.40.025 Permanent off-premises directional signs.

The intent of this provision is to provide directional and location information to the general public about places of general interest, such as tourist information services, school or public recreational facilities, central business district or other special districts, historic sites, and regional developments; or, to provide information of a general community nature, such as those found at city entrance locations identifying the city and historic dates, or listing local service clubs and organizations or to provide business identification for sites located on a dead-end street. Such signs may be allowed, subject to the following:

A. Any such sign which is visible from a state highway shall be subject to approval by the Department of Transportation;

B. Approval of the owner of the property on which the sign is to be placed;

C. Location. Any such sign shall not be placed where it may cause a hazard, or obstruct the vision of any driver;

D. ~~Size shall be no larger than necessary to clearly inform or direct the public. City identification/community service club type~~ Permanent off-premises directional signs shall not exceed fifty square feet per side. ~~Business identification directional s~~ Signs on dead-end streets shall meet the following criteria: all units will have letters six inches in height, light color on a dark background, not longer than four feet per unit and meeting corner visibility requirements; details to be approved by the ~~planning community development~~ director for each installation. (Ord. 1577-07 § 1 (part), 2007)

17.40.030 Temporary signs.

A. "Temporary signs" are defined as exterior signs related to temporary sales or commercial events. Interior and window signs are not regulated by this chapter.

B. Each business may have two temporary signs simultaneously, in addition to the allowed permanent signs.

C. No business may display any temporary signs more than thirty days a year.

D. All temporary signs must be permanently marked with the date the sign was erected. Signs without such marking shall be immediately removed as directed by the code enforcement officer. (Ord. 1577-07 § 1 (part), 2007)

17.40.035 Portable signs.

A. "Portable signs" include all a-frame, sandwich board, sidewalk signs and other signs that are mobile.

B. Each business may have up to one portable sign in addition to allowed temporary or permanent signs.

C. Portable sign area may not exceed thirty-six inches by forty-eight inches on each face. Exception: Portable signs placed adjacent to State Route 9 or State Route 20 may not exceed forty-eight inches by forty-eight inches on each face.

D. Portable signs must be securely weighted or anchored to prevent movement.

E. Portable signs must be brought indoors or out of sight from the general public during such hours that the business associated with the sign is not open for business.

F. Portable signs must not interfere with vehicle, bicycle, or pedestrian traffic.

G. Portable signs must not interfere with vision clearance triangles as described in SWMC Section 17.44.020. (Ord. 1577-07 § 1 (part), 2007)

17.40.045 Digital signs.

The intent of this provision is to allow for a limited number of digital signage in a manner that is safe, does not produce excessive light and does not create a distraction. These regulations apply to digital signs, which include message boards, message displays, electronic reader boards, LED signs, video displays and similar programmable technologies.

Ordinance No. 2091-24 Amending Chapter 2.90 "Consolidated Planning Procedures" and Title 17 "Zoning" SWMC
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A. Digital Sign Location Restrictions.

1. Digital signs are not permitted in any residential zones.
2. Digital signs are not permitted in the central business district except:
 - a. On Eastern Street between the railroad to the north and State Street to the south;
 - b. On Murdock Street between the railroad to the north and State Street to the south;
 - c. On Puget Street between Pacific Street to the north and State Street to the south;
 - d. On State Street; and
 - e. On Ferry Street between State Route 20 to the west and Eastern Street to the east.
 - f. On Metcalf Street between Moore Street to the north and Warner Street to the south.

B. Display Standards in Mixed Commercial and Industrial Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to sign permit issuance;
2. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;
3. Audio speakers are prohibited in association with a digital sign;
4. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;
5. Static messages shall have a minimum of five seconds of dwell time for all static images. Displays which scroll onto the signboard must hold for a minimum of five seconds including scrolling. Flashing, strobing, video imaging and scrolling messages faster than described above are prohibited. Changes between static messages and images must be one second or less and fading or dissolving is not permitted;
6. No more than one digital sign is allowed per property. A digital sign may be double-sided; and
7. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section 17.40.020.

C. Display Standards in CBD and Public Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All electronic digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to building permit issuance;
2. Digital signs may be used after dusk only until eleven p.m. or, if the advertising is an on-premises message about an event at the site where the sign is located, for up to one hour after said event;
3. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;
4. Audio speakers are prohibited in association with a digital sign;
5. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;

6. ~~Digital signs in the CBD and public zones may only contain message board capabilities—only text shall be permitted, not images or other nontext display.~~ The display shall be limited to one color for the text displayed and a darkened (absence of light) background. Messages shall have a minimum of seven seconds of dwell time for all text. Flashing, animation, movement, video imaging and scrolling messages are prohibited. Changes in messages and images must be one second or less and scrolling, fading or dissolving is not permitted;
7. No more than one digital sign is allowed per property. The single digital sign may be double-sided; ~~and~~
8. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section 17.40.020; ~~and~~
9. ~~Digital signs may be used only to advertise activities or goods or services available on the property on which the sign is located, or to present public service information.~~

(Ord. 1982-21 § 1 (Exh. 1), 2021)

17.40.050 Murals

A. History. The guidelines adopted within this section were developed in cooperation with the city design review committee, planning commission, and interested citizens, and are intended to provide a framework to ensure an aesthetically pleasing and cohesive project that will be a source of community pride for years to come. This requires that minimum standards addressing basic issues, such as size, colors, and advertising allowance be established. The intent of these regulations is to simultaneously preserve the historic atmosphere of Sedro-Woolley and encourage placemaking and “bottom-up” community engagement.

B. Purpose.

1. Acknowledge and celebrate the history of the city and the surrounding area in a visually appealing manner;
2. Provide support for the historic theme adopted for the downtown business area;
3. Support local artists to express their history and relationship with Sedro-Woolley
4. Provide information and enjoyment to visitors and residents of the community;
5. Provide a sense of community identity through recognition of the diverse elements of community life, history, industry, and folk lore that contribute to the unique character of Sedro-Woolley and Skagit County;
6. Encourage participation of various businesses and community members in a cohesive and tangible project that will have lasting value to the city; and
7. Promote and encourage commercial activity and out-of-town visitor interest in the city as a tourist destination.

C. Application Requirements. An application for a wall mural shall include the following information:

1. Name and address of the person or business paying for the mural;
2. Name and address of the artist;
3. Name and mailing address of the owner of the building to be painted;
4. Location of the proposed mural, including address of building, the location and size of the wall of the building, and the material composition of the wall of the building to be painted;
5. Scaled rendering of the proposed mural;
 - a. A photo or color illustration of proposed mural.
 - b. Image shall be scaled.
 - c. Description of materials that will be used to install the mural, including but not limited to paint materials, brush materials, and any equipment directly used to aid in the design and installation of the mural.
6. Artist’s portfolio of at least three similar works that accurately represent the skill, style, and technique of the mural artist. Works of art included in the

7. Written description of the proposal addressing the standards of this ordinance.
- D. Procedures.
1. An application for a wall mural shall be reviewed per Chapter 2.90 SWMC – Consolidated Planning Procedures, Chapter 15.44 SWMC – Design Review, and incorporate the standards in this chapter.
 2. Murals shall be completed within twelve (12) months of approval of the mural permit.
- E. Standards. A mural proposal shall be reviewed and approved or denied based on the following standards:
1. Pictures or representations which violate any state law, depict obscenities, depict fighting words, or disturb the peace and quiet of the community shall be denied.
 2. Color. The use of colors will not detract from any historic structure, or group of structures, as defined by either local, regional, state, or national historic landmark, site, or structure designation;
 3. Scale. The photo or rendering shall be reproduced at a scale large enough to cover the wall on which it is to be placed. As much as possible, larger than life-size scale should be attained.
 4. Size.
 - a. No part of a mural shall exceed the height of the structure to which it is tiled, painted, or affixed.
 - b. No part of a mural shall extend past the pane of the wall upon which it is tiled, painted, or affixed.
 - c. Square footage of the mural shall not exceed 75% of the square footage of the building façade.
 5. Composition.
 - a. No mural shall consist of or contain electrical or mechanical components or changing images, including but not limited to moving structural elements, flashing or sequential lights, or other automated methods that result in movement, the appearance of movement, or changing of mural content.
 - b. No mural shall be painted on a wall comprised of a material deemed by city staff to be damaged or otherwise structurally inappropriate for painting.
 6. Commercial murals. Up to one percent of a commercial mural area may be used to acknowledge the person, organization, or business commissioning the mural. If a specific business identification for the business occupying the building is incorporated into the mural, the portion of the mural dedicated to such identification shall be applied toward the maximum square footage allowance for signs for that business under this chapter.

Chapter 17.51
MURALS

17.51.010 Project description—History.

A.— The works of one of the city’s most famous citizens—photographer Darius Kinsey—was the original inspiration for the Sedro-Woolley mural project. The first few murals painted on the exterior walls of buildings were replicas of actual photos taken by Darius Kinsey. The original photos are typically printed in sepia tone colors or black and white. It was found that using the subtle sepia colors in the replicas resulted in very lifelike pictures that are eye-catching from a distance and intriguing to study at close range. Soon other merchants in the city became enthused about the murals and desired murals on their buildings. Thus a project was born.

B.— The guidelines adopted within this chapter were developed in cooperation with the city design review committee, planning commission, and interested citizens, and are intended to provide a framework to insure an aesthetically pleasing and cohesive project that will be a source of community pride for years to come. This requires that minimum standards addressing basic issues, such as size, colors, content, advertising allowance, and professionalism be established. While these standards may exclude some

Ordinance No. 2091-24 Amending Chapter 2.90 “Consolidated Planning Procedures” and Title 17 “Zoning” SWMC
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proposed projects in favor of others, there is no intent to discriminate in favor or against any particular artist, or exclude authentic representations of historical events, people, or community life that are part of the history of Sedro-Woolley.

C.— A number of building walls have been identified as possible mural locations. It is anticipated that the content of these murals will be derived from either Kinsey photos, or photos taken during the same era (1890-1930). When several murals are completed, a brochure of the project will be developed to include a map showing where the murals are located, an explanation of each mural, and additional information about the history of the area, the historic buildings in the city, and other points of interest. This brochure will be updated periodically as the project matures. It is intended that this brochure will be used as a promotional tool for the city. (Ord. 1072 § 2 (Exh. A § 3.11.01), 1989)

17.51.020 Purpose.

The “Pictures from the Past” mural project is undertaken as a joint effort by the citizens of Sedro-Woolley, the chamber of commerce, and the city’s planning commission and council, and is intended to serve the following purposes:

- A.— Acknowledge and celebrate the history of the city and the surrounding area in a visually appealing manner;
- B.— Provide support for the historic theme adopted for the downtown business area;
- C.— Provide information and enjoyment to visitors and residents of the community;
- D.— Provide a sense of community identity through recognition of the diverse elements of community life, history, industry, and folk lore that contribute to the unique character of Sedro-Woolley and Skagit County;
- E.— Encourage participation of various businesses in a cohesive and tangible project that will have lasting value to the city; and
- F.— Promote and encourage out-of-town visitor interest in the city as a tourist destination. (Ord. 1072 § 2 (Exh. A § 3.11.02), 1989)

17.51.030 Application requirements.

An application for a wall mural shall include the following information:

- A.— Name and address of the person or business paying for the mural;
- B.— Name and address of the artist;
- C.— Location of the proposed mural, including address of building, and the location and size of the wall of the building to be painted;
- D.— Photo to be replicated, and date and location of photo, or rendering of the proposed mural adequate to accurately depict the content of the mural. If a rendering is provided, historical documentation of the authenticity of the scene shall be required.
- E.— Written description of the proposal addressing the standards of this ordinance. (Ord. 1072 § 2 (Exh. A § 3.11.03), 1989)

17.51.040 Procedures.

An application for a wall mural shall be reviewed per Chapter 15.44, Design Review, and incorporate the standards in this chapter. (Ord. 2032-22 § 15, 2023; Ord. 1072 § 2 (Exh. A § 3.11.04), 1989)

17.51.050 Standards.

A mural proposal shall be reviewed and approved or denied based on the following standards:

- A.— Subject Matter— Photo Replicas. Murals shall be replicas of photographs taken between 1890 and 1930. A suggested source is the Darius Kinsey collection. The subject of murals should relate to one or more of the following themes:
 - 1.— Logging industry in and around Sedro-Woolley;
 - 2.— Railroad shipping or passenger operations in Skagit County;
 - 3.— River shipping or passenger operations in Skagit County;

4. — Early community life of the city;
 5. — Significant events which took place during the era;
 6. — Other subject matter related to the era and Skagit County area, as approved by the planning commission;
- B. — Subject Matter Alternative. As an alternative to replicating a photo, the following is also acceptable:
1. — Recreation of an authentic historic event using available documents and written accounts as sources. Such events should be those which occurred between 1890 and 1930.
 2. — A collage of pictures following a theme, such as the evolution of logging methods, or illustrating the fashions of the era, or other similar themes associated with the history of the area.
 3. — Mural maps of the city, or of early railroad and/or logging operations, or similar geographical information.
- C. — Subject Matter — Unacceptable. To protect the integrity of the project, the general welfare of the city and citizens therein, the following may not be considered acceptable subject matter for a mural:
1. — Pictures not related to the 1890-1930 era;
 2. — Pictures not related to the city or county area;
 3. — Pictures depicting completely fictional events with no documentation of authenticity;
 4. — Pictures depicting recognizable people from the past out of true context. (This does not exclude depicting people from the present in pictures of the era, if done with the consent of the person represented.)
 5. — Pictures or representations which violate any state law.
- D. — Colors. Murals shall be painted in sepia-toned colors. This coloration is consistent with the color of photos taken during the era, and gives a realistic touch to the work. Sepia also works well with the brick surfaces and color tones of the city, provides a strong cohesive design element to the project as a whole, and creates an historical mood. Use of sepia colors will be less likely to create a cluttered or “billboard” effect, and will insure that the mural project does not detract from the historical character and theme of the downtown business district. Use of sepia tones will reduce the overall cost of maintaining the murals. Limiting the project to sepia tones also eliminates the difficulty of determining authenticity of colors and eliminates a potential subjective decision that must be made by the review committee and planning commission.
- E. — Color. Exceptions. The planning commission may grant exceptions allowing the use of other colors under the following circumstances:
1. — Paint samples of the true colors to be used are provided with the application, plus supporting evidence that the proposed colors are authentic and/or appropriate for the subject matter. Preference will be given to colors which are subtle in tone;
 2. — The use of colors will not detract from any historic structure, or group of structures; and
 3. — Either:
 - a. — The mural is to be located outside of the central business district; or,
 - b. — Only a portion of the mural is to be painted in other colors, as an accent against the sepia background, to highlight some element of the picture for advertising or other purposes, subject to the requirements of subsection G of this section below; or
 - c. — The mural is to be placed on a nonhistoric building as a major design feature.
- F. — Scale. The photo or rendering shall be reproduced at a scale large enough to cover the wall on which it is to be placed. As much as possible, larger than life-size scale should be attained.
- G. — Acknowledgements — Advertising. All murals shall be signed by the artist. In addition, up to one percent of the mural area may be used to acknowledge the person, organization, or business commissioning the mural. If a specific business identification for the business occupying the building is incorporated into the mural, the portion of the mural dedicated to such identification shall be applied toward the maximum square footage allowance for signs for that business under Chapter 17.40.
- H. — Credentials. The design review committee may request a portfolio and other credentials of the artist to insure that all murals will be of a professional quality. (Ord. 1072 § 2 (Exh. A § 2 (Exh. A § 3.11.05), 1989)

Section 2. This ordinance shall be in force and take effect five (5) days after its publication according to law.

Section 3. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

PASSED by majority vote of the members of the Sedro-Woolley City Council this _____ day of _____, 20____, and signed in authentication of its passage this _____ day of _____, 20____.

By: _____
JULIA JOHNSON, Mayor

Attest: _____
KELLY KOHNKEN, Finance Director

Approved as to form:

NIKKI THOMPSON, City Attorney

Published:

CITY OF SEDRO-WOOLLEY
SEPA Notice of Threshold Determination
Determination of Non-significance (DNS)

Project Description: Non-project action to amend Chapter 2.90 and Title 17 of the Sedro-Woolley Municipal Code (SWMC) to update mural and sign regulations.

Proponent: City of Sedro-Woolley Planning Department

Location of Project, Including Street Address: No specific address, non-project action.

Lead Agency, City of Sedro-Woolley: The lead agency for this proposal has determined that this non-project action does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required for this non-project action under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issue. Per SWMC 2.88.170, you may appeal this threshold determination in writing to the City of Sedro-Woolley Planning Department no later than 4:30 PM on **November 28, 2024**. Written appeals must be submitted to the Sedro-Woolley Planning Department, 325 Metcalf Street, Sedro-Woolley, Washington, 98284. Contact the Assistant Planner at (360) 855-0771 ext. 1033 or electronically at asandovaloaks@sedro-woolley.gov to read or ask about the procedures for SEPA appeals.

Responsible SEPA Official: Thomas Glover, Community Development Director – City of Sedro-Woolley

Contact Person: Ashton Sandoval Oaks, Assistant Planner

Address: NA, non-project action

Date of Issue: November 14, 2024

Signature:



Nicole McGowan, Planner,

On behalf of Thomas Glover, Community Development Director

Chapter 2.90

CONSOLIDATED PLANNING PROCEDURES*

Sections:

- 2.90.010 Purpose and intent.
- 2.90.020 Applicability.
- 2.90.030 Effect of permit.
- 2.90.035 Permit processes classified by type.
- 2.90.040 Exemptions from state process requirements.
- 2.90.050 Submittal requirements—General.
- 2.90.060 Authority and responsibilities.
- 2.90.070 Permit classification.
- 2.90.073 Planned action review process.
- 2.90.075 Public notice requirements.
- 2.90.080 Application and decision—General.
- 2.90.090 Appeals.
- 2.90.100 Submittal requirements—Specific to application type.

* Prior ordinance history: Ords. 1449-03, 1485-04, 1491-04, 1602-08 and 1607-08.

[...]

2.90.040 Exemptions from state process requirements.

[...]

D. Exemptions from State Notification and Procedural Requirements for Permit Applications Not Subject to Environmental Review. RCW [36.70B.140](#) allows local governments to exclude certain approvals and building and engineering permits from the public notification and procedural requirements of the statute if they are categorically exempt from environmental review or if environmental review has already been completed at an earlier stage. However, the city's one-hundred-twenty-day maximum processing time would still apply. Therefore, the city exempts the following actions from the public notification and procedural requirements since they are typically processed very quickly and would be considerably delayed by imposition of a public comment period(s):

1. Building and grading permits (SEPA exempt);
2. Business licenses for home occupations;
3. Fire installation/construction permits;
4. Mechanical, plumbing, sign, mural, and fence permits;

5. Lot line adjustments;
6. Final plats;
7. Minor amendments to a previously approved PUD;
8. Occupancy permits;
9. Shoreline exemptions;
10. Temporary use permits (SEPA exempt), but not exempting sign requirements;
11. Water, sewer, storm drainage, roadway permits (SEPA exempt);
12. Other SEPA exempt actions/activities as outlined in WAC 197-11-800, (Ord. 1627-08 § 1 (App. A)(part), 2008)

2.90.050 Submittal requirements—General.

No changes.

2.90.060 Authority and responsibilities.

[...]

C. Planning Director or Designee.

1. Authority. The planning director or designee shall review and act on the following:
 - a. Building and grading permits;
 - b. Binding site plan approval for commercial or industrial developments;
 - c. Environmental review.
 - i. Make threshold determinations for environmental checklists;
 - ii. Authorize circulation of draft environmental impact statements;
 - iii. Approve and issue final environmental impact statements;
 - iv. Approve mitigation conditions for mitigated determinations of nonsignificance and final environmental impact statements;

- d. Final plats;
- e. Interpretation of flood insurance rate map boundaries;
- f. Boundary line adjustments (B.L.A.);
- g. Modifications.
 - i. Minor modifications to previously approved site plan;
 - ii. Modifications of street standards;
 - iii. Minor modifications of landscaping requirements;
 - iv. Minor amendment to PRD;
- h. Planned action determinations;
- i. Review of business licenses for home occupations;
- j. Shoreline exemptions;
- k. Shoreline permits;
- l. Short plats – nine or less;
- m. Temporary use permits;
- n. Variances – administrative;
- o. Zoning waivers;
- p. Modifications of the number of required parking stalls and the requirements of the parking, loading and driveway regulations;
- q. Temporary homeless encampment permits;
- r. Design review;
- s. Sign permits;
- t. Mural permits.

[...]

2.90.070 Permit classification.

[...]

G. Land Use Permit Procedures.

1. Permit Classification Table.

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Accessory Dwelling Unit	X					
Administrative Determination	X					
Binding Site Plan		X				
Boundary Line Adjustment	X					
Building Permit SEPA Exempt	X					
Code Interpretation	X					
Comprehensive Plan Map (and Rezone) or Text Amendments						X
Conditional Use Permit			X			
Design Review with Building Permit	X					
Design Review with Hearing Examiner Land Use Permit			X			
Development Agreement						X
Development Regulation Text Amendments Referred to Planning Commission						X
Development Regulation Text Amendments						X
Environmental Review		X				
Fence or Wall Permit	X					
Fill and Grade Permit	X					
Floodplain District Development Permit or Variance			X			
Home Occupation	X					
Landscape Modifications	X					
Major Modification PRD			X			
Master Plan Approval			X			

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Minor Modifications	X					
<u>Mural Permit</u>	X					
Nonconforming Use—Ordinary Maintenance or Repair	X					
Nonconforming Use—Certificate of Use or Occupancy	X					
Nonconforming Use—Special Permission to Enlarge, Expand, or Reconstruct			X			
Planned Action Determination		X				
Planned Action Ordinance						X
Planned Residential Development			X			
Plat, Preliminary			X			
Plat, Final	X					
Rezoning Consistent with Comprehensive Plan						X
Shoreline Conditional Use Permit			X			
Shoreline Exemption	X					
Shoreline Substantial Development Permit		X				
Shoreline Variance			X			
Short Plat		X				
Short Plat—When Hearing Requested			X			
<u>Sign Permit</u>	X					
Site Plan Approval	X					
Special Use Permit			X			
Street Design Modifications	X					
Street Vacations				X		
Temporary Homeless Encampments		X				
Temporary Use Permit		X				
Variations			X			
Zoning Waivers	X					

[...]

2.90.100 Submittal requirements—Specific to application type.

The following tables list the submittal requirements for each type of permit application or land use approval which must accompany the required application fees as specified in the city's fee schedule.

A. Table 2.90.100(A)—Building and Public Works Submittal Requirements.

Add the following to Table 2.90.100 (A):

- Create a column for "Mural Permit" with the following submittal requirements:

- Application Form (1 copy)

- Portfolio of Artist (1 copy)

- Scaled Rendering of Mural (2 copies)

B. Table 2.90.100(B)—Land Use Permit Submittal Requirements.

C. Definitions of Terms Used in Submittal Requirements for Building, Planning and Public Works Permit Applications.

[...]

"Application form, building" means the planning department form required for the type of work to be performed (e.g., grading permit application for grading work, sign permit application for installation of a sign, etc.). Information requested includes the following:

- a. Skagit tax assessor's number for the property;
- b. Legal description of property;
- c. Street address, if applicable;
- d. Property owner's name, address and phone number;
- e. Prime contractor's business name, address, phone number, current state contractor registration number; and
- f. Either the name, address and phone number of the lender administering the interim construction financing, if any, or the name and address of the firm that has

issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount fifty percent or more than the total construction project.

[...]

"Portfolio of artist" means a compilation of at least three artistic compositions completed by a single individual or association that is representative of the individual's or association's skill, artistic style, preferences, and other distinguishable elements of art. The art contained in the portfolio of artist must be completed by the same individual or association who applies for and intends to create the mural.

[...]

"Scaled rendering of mural" means an image which accurately represents the intended mural and dimensions of the art therein, provided in a size not less than eight and one-half inches by eleven inches.

[...]

Chapter 17.04 ADMINISTRATIVE PROVISIONS

Sections:

17.04.010 Purpose.

17.04.020 Jurisdiction.

17.04.030 Definitions.

17.04.040 Administration and interpretation.

17.04.050 Nonconforming uses, structures, and lots.

17.04.060 Fees.

[...]

17.04.030 Definitions.

[...]

“Multiuse stormwater facility” means a facility that incorporates underground infiltration or otherwise contains no standing water for a period of at least nine months per year, has side slopes of no steeper than 4:1, and is used as common open space or as play areas defined in Chapter 17.38, as approved by the city engineer.

“Mural” means a painting, mosaic, fresco, or other artwork applied directly to the exterior of a structure. Murals may include text or other informational items, but primarily serve an artistic or expressive purpose.

“Net density” means the number of dwelling units located on buildable land; which excludes public rights-of-way, private access easements, driveways, or tracts, utility corridors, stormwater facilities, critical areas and their buffers, and other areas which are unbuildable. Seventy-five percent of multiuse stormwater facilities may be counted towards total buildable area.

[...]

Chapter 17.40

SIGNS*

Sections:

17.40.010 General provisions.

17.40.020 Permanent on-premises signs.

17.40.025 Permanent off-premises directional signs.

17.40.030 Temporary signs.

17.40.035 Portable signs.

17.40.040 Sign permit requirements.

17.40.045 Digital signs.

17.40.050 Murals.

* Prior ordinance history: Ords. 1013, 1312-98, 1451-03, 1484-04 and 1522-05.

17.40.010 General provisions.

The intent of the sign regulations is to provide businesses and organizations an opportunity to advertise while minimizing sign clutter along the city's roadways. Signs along the two state highways shall be designed in a manner that is consistent with the guidelines for state scenic highways, either existing or as subsequently developed.

A. No sign shall be erected or employed that:

1. Impairs scenic views or the appearance of the surrounding area;
2. Creates traffic hazards by blocking vision or causing excessive diversion of attention;
3. Is structurally incapable of withstanding stresses to which it is likely to be subjected;
4. Contains flashing or uncomfortably intense light;
5. Is designed to attract attention through mechanical or wind-generated movement;
6. Is employed without consent of the property owner;
7. Is a festoon, banner, or pennant type sign; or
8. Digital signs, except as provided in Section 17.40.045.

B. Obsolete signs must be removed within ninety days of the change in business or offering. An "obsolete sign" is defined as any sign that advertises a business, product, or service that is

no longer available or, for on-premises signs, no longer located on the same site on which the sign is posted.

C. Size of signs includes the surface area, spaces and voids within a perimeter that connects the outermost points of the signs' lettering or devices, measured on the plane(s) to which the sign is oriented. Both sides of double-faced signs, such as projecting, freestanding or sandwich board signs with information on both sides, shall be counted. Frames or supports containing information or constituting integral design elements shall also be included.

D. Except in residential areas, where only external illumination is allowed, signage may be either externally illuminated or have only letters internally illuminated. All lighting shall be directed so as not to shine onto adjacent residential properties or into the night sky.

E. Each sign shall be maintained in good visual and structural condition at all times including color integrity and all parts and supports associated with the sign in accordance with its original approval by the city. Any repair to a sign shall be done using materials and design that are of equal or greater quality than the original sign.

F. Exceptions. The following shall not be regulated by this chapter:

1. Signage at public athletic fields;
2. Any vehicle or trailer that is road-ready, currently licensed and complies with all other ordinances and laws. (Ord. 1982-21 § 1 (Exh. 1), 2021; Ord. 1577-07 § 1 (part), 2007)

17.40.020 Permanent on-premises signs.

A. In the residential zones, signs shall be limited to a total combined size of five square feet or one percent of the gross floor area of buildings, whichever is greater.

B. In all other zones, the following limitations apply:

1. All freestanding signs shall be ground-oriented. Each sign's area may not exceed two percent of the gross floor area of the buildings nor two hundred square feet total surface area, whichever is less, but in no case must signs be less than thirty-two square feet per side. Though uses or business may overlap spatially, gross floor area shall not be claimed more than once in computing allowable size of signs. See also SWMC Section 17.40.010(D).
2. Facade signs must meet the size requirements listed below.

Maximum Sign Area

Facade Area	Maximum Sign Area
0—499	50 sq. ft. maximum
500—999	10% or 75 sq. ft. maximum, whichever is less
1,000—1,499	9% or 100 sq. ft. maximum, whichever is less
1,500—2,999	8% or 150 sq. ft. maximum, whichever is less
3,000 or greater	6% or 200 sq. ft. maximum, whichever is less

Maximum Letter Size for Primary Signs

Distance from Primary Street	Maximum Letter Size
Up to 10 ft.	12 inches
10—25	18 inches
25—50	24 inches
50—100	36 inches
Over 100	48 inches

3. Freestanding signs may not exceed twenty feet in height as measured from the centerline of the adjoining road to the top of the sign structure.

C. Freestanding signs shall meet the clear vision triangle requirements in the city code 17.44.020 SWMC.

D. Each building may have one freestanding sign per frontage on a public right-of-way. Each business may have one facade sign per frontage on a public right-of-way. (Ord. 1577-07 § 1 (part), 2007)

17.40.025 Permanent off-premises directional signs.

The intent of this provision is to provide directional and location information to the general public about places of general interest, such as tourist information services, school or public recreational facilities, central business district or other special districts, historic sites, and regional developments; or, to provide information of a general community nature, such as

those found at city entrance locations identifying the city and historic dates, or listing local service clubs and organizations or to provide business identification for sites located on a dead-end street. Such signs may be allowed, subject to the following:

- A. Any such sign which is visible from a state highway shall be subject to approval by the Department of Transportation;
- B. Approval of the owner of the property on which the sign is to be placed;
- C. Location. Any such sign shall not be placed where it may cause a hazard, or obstruct the vision of any driver;
- D. ~~Size shall be no larger than necessary to clearly inform or direct the public. City identification/community service club type Permanent off-premises directional signs shall not exceed fifty square feet per side. Business identification directional s~~Signs on dead-end streets shall meet the following criteria: all units will have letters six inches in height, light color on a dark background, not longer than four feet per unit and meeting corner visibility requirements; details to be approved by the ~~planning community development~~ director for each installation. (Ord. 1577-07 § 1 (part), 2007)

17.40.030 Temporary signs.

- A. "Temporary signs" are defined as exterior signs related to temporary sales or commercial events. Interior and window signs are not regulated by this chapter.
- B. Each business may have two temporary signs simultaneously, in addition to the allowed permanent signs.
- C. No business may display any temporary signs more than thirty days a year.
- D. All temporary signs must be permanently marked with the date the sign was erected. Signs without such marking shall be immediately removed as directed by the code enforcement officer. (Ord. 1577-07 § 1 (part), 2007)

17.40.035 Portable signs.

- A. "Portable signs" include all a-frame, sandwich board, sidewalk signs and other signs that are mobile.
- B. Each business may have up to one portable sign in addition to allowed temporary or permanent signs.

C. Portable sign area may not exceed thirty-six inches by forty-eight inches on each face. Exception: Portable signs placed adjacent to State Route 9 or State Route 20 may not exceed forty-eight inches by forty-eight inches on each face.

D. Portable signs must be securely weighted or anchored to prevent movement.

E. Portable signs must be brought indoors or out of sight from the general public during such hours that the business associated with the sign is not open for business.

F. Portable signs must not interfere with vehicle, bicycle, or pedestrian traffic.

G. Portable signs must not interfere with vision clearance triangles as described in SWMC Section 17.44.020. (Ord. 1577-07 § 1 (part), 2007)

17.40.040 Sign permit requirements.

A. All permanent signs require a sign permit.

B. A new or relocated business may use a single unpermitted interim on-premises sign to identify the business for ninety days while they permit and construct a permanent sign. Such an interim sign is not exempt from the other provisions of this chapter. (Ord. 2042-23 § 2, 2023; Ord. 1577-07 § 1 (part), 2007)

17.40.045 Digital signs.

The intent of this provision is to allow for a limited number of digital signage in a manner that is safe, does not produce excessive light and does not create a distraction. These regulations apply to digital signs, which include message boards, message displays, electronic reader boards, LED signs, video displays and similar programmable technologies.

A. Digital Sign Location Restrictions.

1. Digital signs are not permitted in any residential zones.
2. Digital signs are not permitted in the central business district except:
 - a. On Eastern Street between the railroad to the north and State Street to the south;
 - b. On Murdock Street between the railroad to the north and State Street to the south;
 - c. On Puget Street between Pacific Street to the north and State Street to the south;

- d. On State Street; and
- e. On Ferry Street between State Route 20 to the west and Eastern Street to the east.
- f. On Metcalf Street between Moore Street to the north and Warner Street to the south.

B. Display Standards in Mixed Commercial and Industrial Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to sign permit issuance;
2. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;
3. Audio speakers are prohibited in association with a digital sign;
4. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;
5. Static messages shall have a minimum of five seconds of dwell time for all static images. Displays which scroll onto the signboard must hold for a minimum of five seconds including scrolling. Flashing, strobing, video imaging and scrolling messages faster than described above are prohibited. Changes between static messages and images must be one second or less and fading or dissolving is not permitted;
6. No more than one digital sign is allowed per property. A digital sign may be double-sided; and
7. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section 17.40.020.

C. Display Standards in CBD and Public Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All electronic digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to building permit issuance;
2. Digital signs may be used after dusk only until eleven p.m. or, if the advertising is an on-premises message about an event at the site where the sign is located, for up to one hour after said event;
3. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;
4. Audio speakers are prohibited in association with a digital sign;
5. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;
6. ~~Digital signs in the CBD and public zones may only contain message board capabilities – only text shall be permitted, not images or other nontext display. The display shall be limited to one color for the text displayed and a darkened (absence of light) background. Messages shall have a minimum of seven seconds of dwell time for all text. Flashing, animation, movement, video imaging and scrolling messages are prohibited. Changes in messages and images must be one second or less and scrolling, fading or dissolving is not permitted;~~
7. No more than one digital sign is allowed per property. The single digital sign may be double-sided; and
8. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section 17.40.020; and,
9. ~~Digital signs may be used only to advertise activities or goods or services available on the property on which the sign is located, or to present public service information.~~
(Ord. 1982-21 § 1 (Exh. 1), 2021)

Chapter 17.51

MURALS

Sections:

~~17.51.010 Project description—History.~~

~~17.51.020 Purpose.~~

~~17.51.030 Application requirements.~~

~~17.51.040 Procedures.~~

~~17.51.050 Standards.~~

~~17.51.010 Project description—History.~~

17.40.050 Murals

A. ~~The works of one of the city's most famous citizens—photographer Darius Kinsey—was the original inspiration for the Sedro-Woolley mural project. The first few murals painted on the exterior walls of buildings were replicas of actual photos taken by Darius Kinsey. The original photos are typically printed in sepia-tone colors or black and white. It was found that using the subtle sepia colors in the replicas resulted in very lifelike pictures that are eye-catching from a distance and intriguing to study at close range. Soon other merchants in the city became enthused about the murals and desired murals on their buildings. Thus a project was born.~~

B.A. History. The guidelines adopted within this chapter section were developed in cooperation with the city design review committee, planning commission, and interested citizens, and are intended to provide a framework to ~~insure~~ ensure an aesthetically pleasing and cohesive project that will be a source of community pride for years to come. This requires that minimum standards addressing basic issues, such as size, colors, ~~content,~~ and advertising allowance, and professionalism be established. While these standards may exclude some proposed projects in favor of others, there is no intent to discriminate in favor or against any particular artist, or exclude authentic representations of historical events, people, or community life that are part of the history of Sedro-Woolley. The intent of these regulations is to simultaneously preserve the historic atmosphere of Sedro-Woolley and encourage placemaking and "bottom-up" community engagement.

C. ~~A number of building walls have been identified as possible mural locations. It is anticipated that the content of these murals will be derived from either Kinsey photos, or photos taken during the same era (1890-1930). When several murals are completed, a brochure of the project will be developed to include a map showing where the murals are located, an explanation of each mural, and additional information about the history of the area, the historic buildings in the city, and other points of interest. This brochure will be updated periodically as the project matures. It is intended that this brochure will be used as a promotional tool for the city. (Ord. 1072 § 2 (Exh. A § 3.11.01), 1989)~~

~~17.51.020 Purpose.~~

B. Purpose.

The "Pictures from the Past" mural project is undertaken as a joint effort by the citizens of Sedro-Woolley, the chamber of commerce, and the city's planning commission and council, and is intended to serve the following purposes:

A.—

1. Acknowledge and celebrate the history of the city and the surrounding area in a visually appealing manner;

B.—

2. Provide support for the historic theme adopted for the downtown business area;

C.—

3. Support local artists to express their history and relationship with Sedro-Woolley

4. Provide information and enjoyment to visitors and residents of the community;

D.—

5. Provide a sense of community identity through recognition of the diverse elements of community life, history, industry, and folk lore that contribute to the unique character of Sedro-Woolley and Skagit County;

E.—

6. Encourage participation of various businesses and community members in a cohesive and tangible project that will have lasting value to the city; and

F.—

7. Promote and encourage commercial activity and out-of-town visitor interest in the city as a tourist destination. (Ord. 1072 § 2 (Exh. A § 3.11.02), 1989)

~~17.51.030 Application requirements.~~

C. Application Requirements. An application for a wall mural shall include the following information:

A.

1. Name and address of the person or business paying for the mural;

B.

2. Name and address of the artist;

C.

3. Name and mailing address of the owner of the building to be painted;

4. Location of the proposed mural, including address of building, and the location and size of the wall of the building to be painted; and the material composition of the wall of the building to be painted;

D. Photo to be replicated, and date and location of photo, or rendering of the proposed mural adequate to accurately depict the content of the mural. If a rendering is provided, historical documentation of the authenticity of the scene shall be required.

5. Scaled rendering of the proposed mural;

a. A photo or color illustration of proposed mural.

b. Image shall be scaled.

c. Description of materials that will be used to install the mural, including but not limited to paint materials, brush materials, and any equipment directly used to aid in the design and installation of the mural.

E.

6. Artist's portfolio of at least three similar works that accurately represent the skill, style, and technique of the mural artist. Works of art included in the

7. Written description of the proposal addressing the standards of this ordinance. (Ord. 1072 § 2 (Exh. A § 3.11.03), 1989)

17.51.040 Procedures.

D. Procedures.

1. An application for a wall mural shall be reviewed per Chapter 2.90 SWMC – Consolidated Planning Procedures, Chapter 15.44, SWMC – Design Review, and

incorporate the standards in this chapter. (Ord. 2032-22 § 15, 2023; Ord. 1072 § 2 (Exh. A § 3.11.04), 1989)

2. Murals shall be completed within twelve (12) months of approval of the mural permit.

17.51.050 Standards.

E. Standards. A mural proposal shall be reviewed and approved or denied based on the following standards:

A. Subject Matter—Photo Replicas. Murals shall be replicas of photographs taken between 1890 and 1930. A suggested source is the Darius Kinsey collection. The subject of murals should relate to one or more of the following themes:

1. Logging industry in and around Sedro-Woolley;
2. Railroad shipping or passenger operations in Skagit County;
3. River shipping or passenger operations in Skagit County;
4. Early community life of the city;
5. Significant events which took place during the era;
6. Other subject matter related to the era and Skagit County area, as approved by the planning commission;

B. Subject Matter Alternative. As an alternative to replicating a photo, the following is also acceptable:

1. Recreation of an authentic historic event using available documents and written accounts as sources. Such events should be those which occurred between 1890 and 1930.
2. A collage of pictures following a theme, such as the evolution of logging methods, or illustrating the fashions of the era, or other similar themes associated with the history of the area.
3. Mural maps of the city, or of early railroad and/or logging operations, or similar geographical information.

C.—Subject Matter—Unacceptable. To protect the integrity of the project, the general welfare of the city and citizens therein, the following may not be considered acceptable subject matter for a mural:

- 1.— Pictures not related to the 1890-1930 era;
- 2.— Pictures not related to the city or county area;
- 3.— Pictures depicting completely fictional events with no documentation of authenticity;
- 4.— Pictures depicting recognizable people from the past out of true context. (This does not exclude depicting people from the present in pictures of the era, if done with the consent of the person represented.)

15. Pictures or representations which violate any state law, depict obscenities, depict fighting words, or disturb the peace and quiet of the community shall be denied.

D.— Colors. Murals shall be painted in sepia-toned colors. This coloration is consistent with the color of photos taken during the era, and gives a realistic touch to the work. Sepia also works well with the brick surfaces and color tones of the city, provides a strong cohesive design element to the project as a whole, and creates an historical mood. Use of sepia colors will be less likely to create a cluttered or “billboard” effect, and will insure that the mural project does not detract from the historical character and theme of the downtown business district. Use of sepia tones will reduce the overall cost of maintaining the murals. Limiting the project to sepia tones also eliminates the difficulty of determining authenticity of colors and eliminates a potential subjective decision that must be made by the review committee and planning commission.

E.— Color. Exceptions. The planning commission may grant exceptions allowing the use of other colors under the following circumstances:

1.— Paint samples of the true colors to be used are provided with the application, plus supporting evidence that the proposed colors are authentic and/or appropriate for the subject matter. Preference will be given to colors which are subtle in tone;

2.—

2. Color. The use of colors will not detract from any historic structure, or group of structures, as defined by either local, regional, state, or national historic landmark, site, or structure designation; and

3.— Either:

a.— The mural is to be located outside of the central business district; or,

b. ~~Only a portion of the mural is to be painted in other colors, as an accent against the sepia background, to highlight some element of the picture for advertising or other purposes, subject to the requirements of subsection G of this section below; or~~

c. ~~The mural is to be placed on a nonhistoric building as a major design feature.~~

F. ~~—~~

3. Scale. The photo or rendering shall be reproduced at a scale large enough to cover the wall on which it is to be placed. As much as possible, larger than life-size scale should be attained.

G. ~~—~~

4. Size.

a. No part of a mural shall exceed the height of the structure to which it is tiled, painted, or affixed.

b. No part of a mural shall extend past the pane of the wall upon which it is tiled, painted, or affixed.

c. Square footage of the mural shall not exceed 75% of the square footage of the building façade.

5. Composition.

a. No mural shall consist of or contain electrical or mechanical components or changing images, including but not limited to moving structural elements, flashing or sequential lights, or other automated methods that result in movement, the appearance of movement, or changing of mural content.

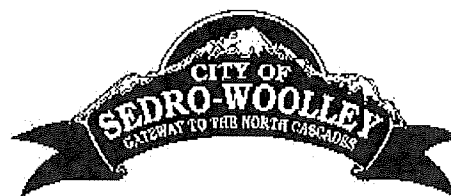
b. No mural shall be painted on a wall comprised of a material deemed by city staff to be damaged or otherwise structurally inappropriate for painting.

6. Acknowledgements—Advertising. Commercial murals. All murals shall be signed by the artist. In addition, ~~u~~Up to one percent of the ~~a commercial mural area~~ may be used to acknowledge the person, organization, or business commissioning the mural. If a specific business identification for the business occupying the building is incorporated into the mural, the portion of the mural dedicated to such identification shall be applied toward the maximum square footage allowance for signs for that business under this Chapter ~~chapter 17.40~~.

H.— Credentials. The design review committee may request a portfolio and other credentials of the artist to insure that all murals will be of a professional quality. (Ord. 1072 § 2 (Exh. A § 2 (Exh. A § 3.11.05), 1989)

City of Sedro-Woolley

325 Metcalf Street
Sedro-Woolley WA 98284
Permit Inspection Line 855-0139
"Call before you dig" 811



Mural Permit #: 2024319

Permit Type: Mural
Construction Value: 0

Approval Date: 11/26/2024
Permit Valid For Two-Years From Approval Date. Applicant should call for a "Final Inspection" or request a "Permit Extension" prior to permit expiration to avoid having to pay new permit fees.

Applicant:

Name: City of Sedro-Woolley **Phone:** 360-855-0771
Address: 325 Metcalf St Sedro-Woolley, WA 98284

Work Description: Mock Mural Permit - NOT A VALID PERMIT APPLICATION

Project Location:

Parcel Number: 77545 **Zoning:** P
Address: 325 Metcalf Street Sedro-Woolley, WA 98284
Block: 16 **Lot(s):** 1-24

Addition:

Property Owner(s):

Name: City of Sedro-Woolley **Phone:**
Address: 325 Metcalf St Sedro-Woolley, WA 98284

Artist:

Name: John Doe **Phone:** 999-999-9999
Address: 123 Main St City, ST ZIP

Contractor:

Fees & Receipts:

345.83.00.001 001	Design Review	\$25.00
Total Receipts:		\$0.00

Project Description:

Project Description: Mock Mural Permit - NOT A VALID PERMIT APPLICATION

Structure Use:

Purpose:

Construction Value: 0

Floor Areas:

Living Space:
Basement/Storage:
Garage:
Decks:
Porches:

Impervious Surfaces:

House:
Garage:
Driveway:
Porch/Walk:
Other:

Other:

Total:

Structure Area: Site Area: Percentage of Site:

Permit Conditions:

1. Construction must be in conformance with 2021 IRC/IBC as adopted by the City of Sedro-Woolley and the approved construction drawings stamped and dated;
2. Changes marked in red on the approved plans by the City Plans Examiner are hereby made a part of this permit and must be made.
3. The approved drawings must be on site and made available to the Building Official and/or City Inspector upon request.
4. Any changes to the approved plans must be reviewed and approved by the Planning Department prior to calling for an Inspection for those items.
5. Any changes to the approved Design review plans must be reviewed and approved by the Planning Department prior to the change.
6. All murals will require a final inspection. Please Call 360-855-0139 and request a final inspection through the Building Department.
7. All electrical work to conform to electrical code and applicant must obtain electrical permit from State Labor & Industries (L&I) as necessary.
8. No materials used for the completion of the mural, including but not limited to graywater, paint, and oils, shall be disposed of through the municipal stormwater system.
- 9.

CALL BEFORE YOU DIG! BEFORE BEGINNING CONSTRUCTION, CALL THE UTILITY LOCATE CENTER AT 1-800-424-5555.

The above-named permit holder is not granted any special exemptions from any City regulations concerning the above stated activity and is required to abide by all City rules, regulations, or ordinances which may affect such an activity. The City Building Official and/or his designee(s) shall be permitted reasonable access to the property to conduct monitoring and inspections of construction activities and to certify compliance with the conditions of this permit, the International Building Code and City rules, regulations and ordinances. Whenever the Building Official and/or his designee(s) finds any work regulated by City codes and regulations or is dangerous and unsafe the City Building Official and/or his designee(s) is authorized to issue a stop work order. The City Building Official is authorized to, in writing, suspend or revoke whenever a certificate is made in error, or on the basis of incorrect information supplied by the applicants agent, or where it is determined that the building or structure or portion thereof is in violation of any City codes and regulations.

This permit is valid for two (2) years from date of issuance. This permit does not become valid until signed below.

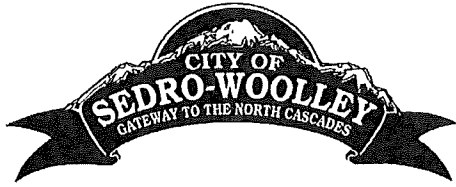
Permittee Signature

Date

City Planning Department

Date

CALL 360-855-0139 EXT. #1 FOR ALL BUILDING INSPECTIONS



Sedro-Woolley Planning Department
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

MURAL PERMIT APPLICATION

APPLICATION No. _____

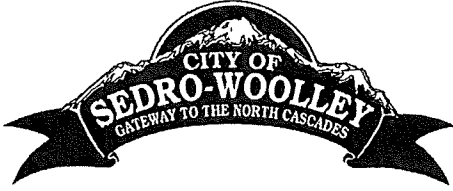
Applicants shall be charged a **\$25.00** non-refundable fee at the time of application. Multiple murals are not permitted under the same mural permit. Please complete a separate application for each proposed mural. Failure to attach all required submittal documents will result in an incomplete application and will not be accepted by city staff.

THIS PAGE TO BE COMPLETED BY CITY STAFF AT THE TIME OF APPLICATION

Required Submittals

- 1 One (1): Completed application signed by applicant.
- 2 Two (2): **Scaled renderings** of the proposed mural. The renderings will need to be a photograph or a color illustration of the proposed mural. The dimensions of the renderings will need to be accurately scaled to the proposed mural. The rendering shall be submitted on a size not less than eight and one-half inches by eleven inches.
- 3 One (1): Set of the **Artist's Portfolio**. A portfolio of at least three distinct artistic compositions that are representative of the artist's skill, style, preferences, expertise, and other distinguishable elements of art. The art submitted in the portfolio must be created by the same individual or association who intends to create the mural applied for in the application herein. Compositions submitted in the portfolio shall be submitted on a size not less than eight and one-half inches by eleven inches, each.
- 4 Two (2): **Façade Plans**. A computer-assisted or hand-drawn illustration of the façade of the building on which the mural is to be affixed, including the dimensions of the mural, dimensions of the building façade, and description of the material composition of the building façade. Façade plans are intended to depict the face of the building to be painted, not depict the art itself.
- 5 Payment of design review fee (\$25.00).

Application accepted by: _____ **Date:** _____



Sedro-Woolley Planning Department
 Sedro-Woolley Municipal Building
 325 Metcalf Street
 Sedro-Woolley, WA 98284
 Phone (360) 855-0771
 Fax (360) 855-0733

MURAL PERMIT APPLICATION

SECTION I – PROPERTY & PROJECT INFORMATION

Fill out completely. Attach legal descriptions and supporting documents as necessary. Please complete Sections I and II of application. Failure to complete all sections will result in an incomplete application and may not be accepted by City staff.

Who should we contact with any questions about this application? Applicant Owner Artist

APPLICANT	PROPERTY OWNER	ARTIST
Name: _____	Name: _____	Name: _____
Organization (if applicable): _____	Organization (if applicable): _____	Organization (if applicable): _____
Address: _____	Address: _____	Address: _____
City: _____	City: _____	City: _____
Zip Code: _____	Zip Code: _____	Zip Code: _____
Day Phone: _____	Day Phone: _____	Day Phone: _____
Cell Phone: _____	Cell Phone: _____	Cell Phone: _____
Email: _____	Email: _____	Email: _____

PROJECT SITE IDENTIFICATION

Site Address: _____ Parcel I.D. #: _____ (Refer to Skagit County Assessor website)

Legal description of property (*attach additional sheets as necessary*): _____

Please provide a brief description of the proposed mural and the associated building façade: _____

ARTISTIC MATERIALS

Please provide a brief description of the materials that will be utilized for the creation of the proposed murals (may include paint, brushes, equipment, etc.):

SECTION II– ACKNOWLEDGEMENT & SIGNATURE

Complete for this application. Failure to sign the permit application will result in an incomplete application.

ACKNOWLEDGEMENT

Please provide a brief description of how the proposed mural complies with and addresses the standards of 17.40.050 SWMC (Murals):

SIGNATURE

Application is hereby made for a MURAL PERMIT. I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the legal authority to undertake the proposed activities and I hereby grant to the officials of the City of Sedro-Woolley the right to enter the above-described property to inspect the property as part of the project review process.

Signature (Required): _____ **Date:** _____